

Chapter 311**TRAINING**

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Section I. Definitions

- A. “Direct school costs”** means expenses of tuition, fees, books, room and board.
- B. “On-the-job training” (OJT)** means a type of vocational training with the instruction delivered by one employed in the vocation. The training takes place while the trainee is engaged in real work activities at a real worksite. The trainee shall receive wages from the employer in accordance with the Fair Labor Standards Act while being trained.
- C. “Post-secondary training”** means education provided by a degree-granting institution of higher education (universities, colleges, community or junior colleges, vocational schools, technical institutes, or hospital schools of nursing).
- D. “Vocational training”** means training in a specific vocation such as truck driving, propane gas service, wallpaper hanging, etc. Upon completion, such training is usually intended to result in job-readiness. Such training may take place on any site including a worksite (although the person may not be an employee); the term includes on-the-job training.

Section II. General Policy

As appropriate to the vocational rehabilitation needs of each person and consistent with each person’s informed choice, training services may be provided in accordance with this Chapter. Spending guidelines and standards for exception to them will be set by the Division with the input of the State Rehabilitation Council. They will be reviewed annually and may be adjusted accordingly by the Division Director.

Section III. Post-Secondary Education

A. Criteria for Participation

The Division may participate in sponsorship of post-secondary education only if:

1. The person has been accepted for admission to a post-secondary program of choice; and
2. The Counselor has determined that the education will enhance the person's potential to become employed in his/her field of training; and
3. The Counselor has conducted a comprehensive assessment of all the factors that may impact the person's ability to take advantage his/her education when completed. Such factors may include medical stability and prior work history.

GUIDANCE: The question, "Will the disability continue to impede job acquisition, retention, etc. even after post-secondary education is completed?" should be asked and discussed with the person in order to make an informed choice about pursuing this type of education.

A college degree is not a guarantee to a job and may not be needed to get a meaningful job in the field of choice.

B. Selection of Facility

In selecting the appropriate facility the factors below must be considered:

1. The facility must be properly accredited for the field in which the person is to be trained; and
2. The curriculum must be suitable, as determined by the person and the Counselor, to meet the person's proposed goal; and

3. Accessibility and accommodations necessitated by the disability must have been discussed with the institution. The Division may advocate for changes to assure that the person can participate in the training.
4. An out-of-state facility may be chosen. However, if comparable training is available at an in-state facility with lower direct school costs, the Division's monetary share, if any, in those costs will not exceed the amount it would have cost at the in-state facility.

GUIDANCE: In selecting an out-of-state facility which is not well known or whose credentials are obscure, the vocational rehabilitation agency in that state should be consulted.

Whether in-state or out-of-state, consideration should be given to ways to alleviate potential problems which may become part of the IPE--e.g., emergencies due to acute illness, family problems, availability of counseling and personal or social support services, transportation to and from classes, and the need for periodic communication from the person.

Prior to entering an out-of-state facility, the Counselor and the person should have an understanding regarding the Division's participation, if any, in transportation services to and from the facility at the ends of semesters, holidays, etc.

C. Spending Rules

1. The Division cannot pay for direct school costs of post-secondary education unless maximum efforts have been made by the Division and the individual to secure grant assistance in whole or in part from other sources to pay for that training.
2. Commitment of Division funds will not be made until a need has been confirmed. The grant award or denial statement must be reviewed in order to calculate the need, if any, for direct school costs.
3. The Division will not pay if the person has failed to meet applicable financial aid filing deadlines.
4. Expenses for needs such as childcare, transportation, and attendant care are not direct school costs and will be considered separately.

GUIDANCE: The spending guidelines for direct school costs are:

1. For up to two non-matriculated (non-degree) courses, with all other criteria in Sections II and III being met (including securing grant assistance), the Division may furnish actual costs of tuition up to a maximum of the tuition cost of comparable courses at the University of Vermont (UVM), plus books, and fees.
2. It is not uncommon for a person to desire to take a course or two (e.g., a computer course and medical transcription) to relatively quickly upgrade skills to a more marketable level. However, the VSAC grant will not likely cover the full direct cost of such a course. After determining the amount of the VSAC grant, DVR may furnish the unmet need in such situations without affecting the size of the VSAC grant. The reference to UVM's tuition is only to be sure no one will be prevented from taking a course there if the rate was based on the tuition rate of a less costly facility such as the Community College of Vermont.

Additional Note: The VT Student Assistance Corporation (VSAC) may furnish grants for non-degree students. However, the VSAC grant will not likely cover the full direct cost of such courses; after determining the amount of the VSAC grant, DVR may furnish the unmet need in such situations without affecting the size of the VSAC grant.

3. For matriculated (degree) courses, with all other criteria in Sections II and III being met (including securing grant assistance), the Division may furnish up to a maximum of \$600/semester for a full-time student and up to \$300/semester for a part-time student toward direct school costs, as long as the Division's share does not offset, directly or indirectly, grants for which the person would otherwise be eligible.

Additional note: DVR funds will impact VSAC grants only in very limited situations. If the individual's total "gift aid," i.e., scholarships and grants that do not have to be repaid, exceeds the total charges for tuition, fees, books, room and board (direct school costs) and DVR is paying for those direct school costs, then the VSAC grant will be reduced to a level where the assistance does not exceed the need. It is recommended that the VSAC Grants Office be contacted if there are any questions about how DVR assistance may impact an individual's aid package.

D. Purchasing Hardware and Software

The Division will purchase hardware and/or software only when it is an accommodation to the individual's disability and necessary for the student to

successfully complete the IPE. Before providing any funds, the Counselor must insure that the student has contacted the school's financial aid office and applied for additional aid based on the extraordinary cost of the accommodation. The student and/or Counselor must also diligently pursue all other alternative funding sources and alternative accommodations before Division funds are committed.

GUIDANCE: The decision to buy equipment/software can be complex. The following questions must be answered to the satisfaction of the Counselor and/or Regional Manager before a final decision is made.

1. If specialized software is requested, is the request based on the results of an appropriate needs assessment?
2. Does the student need training to make full use of the hardware/software requested? If so, how will the training be provided?
3. Can the student's needs be met through use of the school's computer lab? Could DVR purchase software and load it on a computer in the school's lab and meet the student's need?
4. Is the requested hardware/software appropriate? That is, will it do what is required, e.g., run special software without being more than is needed, e.g., a laptop is requested when a word processor will do?
5. Does the school have a rental/lease/purchase program that is cheaper than what is available through State purchasing?
6. Did the student request additional aid from the school's financial aid office to cover any extraordinary costs of hardware or software?

The Regional Manager must authorize all requests for hardware and/or software that costs more than \$2,000 or brings the aggregate spent on the student for these items during the life of the case to more than \$2,000.

E. Exceptions to Spending Guidelines

1. Exceptions to spending guidelines established in accordance with Section II of this Chapter may be made after the Counselor has reviewed the person's overall situation with the Division Director or designee, if at least one of the following standards is satisfied:
 - a. Upon becoming employed, college loan payments would impose a hardship in view of out-of-pocket costs related to the disability (e.g., attendant care or psychotropic medicine).
 - b. There was unanticipated reduction in availability of other funding sources such as reduction of a grant due to increase in applicants for the resource.

- c. An unexpected development substantially reduced the person's personal resources.
 - d. Unexpected needs occur.
 - e. The disability mandates attendance at an educational facility which costs more than comparable training at another facility, and other sources will not cover the increased costs.
 - f. Due to the nature of the disability, the student is unable to participate in the school's work-study program and/or work between semesters.
 - g. The disability limits the number of credit hours the person can carry, and consequently the size of the grant for which a person may be eligible is limited or non-existent.
2. Exceptions based on the above standards may be made when continuation of the program would be jeopardized without special consideration. Exceptions will not be made if the need is caused by the person mismanaging resources or failing to fulfill responsibility for filing financial aid applications on time unless there are demonstrable extenuating circumstances. The Counselor will place justification for the exception in the case record.

GUIDANCE: Commitment shall be given to sponsor only one school year at a time with each semester (including summer school and "trimester" arrangements) provisional upon achieving acceptable grades to be determined jointly by the person and his/her Counselor. Generally, a grade point average of 2.0 should be expected; however, there may be unavoidable circumstances (e.g., frequent absence due to illness) which affect a person's grades in a semester and, at the Counselor's discretion, for which the person should not be penalized by withholding Division funding.

F. Special Guidance for Transition-aged Consumers

The IPE process should reflect the real experiences of young people entering post secondary education.

The Division recognizes that young people in transition, regardless of whether they have a disability or not, are in a process of exploration and discovery. It should be expected that the following may be true for any young person entering a college program:

- A young person may or may not have a clear idea of their long term vocational goal as they enter a college program.
- Even if a youth has a definite vocational goal, it is not uncommon for that goal to change or evolve as they progress through an academic program and/or related work experience.
- After a semester or a year, a young person may determine that post secondary education is not right for them at that moment. This discovery process should not necessarily be regarded as a “negative” outcome. This outcome then opens up the possibility for the young person and VR counselor to explore other training or employment goals.

It is very important that young people have had real work experience during their college years in order for them to be more employable on exit.

There is considerable research that youth and young adults who work during high school and college are more likely to be employed on graduation. DVR believes there is considerable value in students participating in real work experiences during their college years in terms of skill building and exposure to real work environments. For many students, employment may be essential to have income for college costs and living expenses. Therefore, it is the general expectation of DVR that a young person in a college plan will also be employed during their college experience. This may include any of the following:

- Part time or summer competitive employment
- Work study
- Internships
- Progressive employment experiences as fitting

In general, one or more of these options should be considered as part of the IPE. As with any guideline, there may be exceptions to this guideline based on the individual’s needs.

Prior to beginning the two step process described below, there is an expectation that the VR Counselor may assess the consumer’s readiness for post-secondary education. The VR counselor may utilize a variety of tools to assist academic skills, financial literacy, self-advocacy, and social readiness.

Managing IPE Development and Closure for Transition Aged Youth in Post Secondary Education Plans

To better reflect our guiding principals in IPE development and closure practices for transitioning youth in post secondary education, DVR recommends a two step case management process. This two step process recognizes that the first year of college is often an exploratory experience. Therefore, in the first “college”

IPE, the DVR counselor would commit to a one year plan of college support. After a consumer successfully completes one year of college, the DVR counselor evaluates the experience with the consumer and considers the commitment to a two or four year post secondary education plan in the IPE.

Throughout the college experience, it is expected that the consumer will check in with the VR counselor at the completion of each semester.

Step One: Preliminary Post Secondary Education and Employment Plan

In general, VR counselors may develop an initial IPE including post secondary education for one year (two semesters) only. It is suggested the IPE include:

- An initial employment goal. The employment goal may be part time employment to support the consumer's continued participation in post secondary education.
- Academic conditions for VR financial support of the consumer's post secondary education plans.
- If appropriate, requirements for competitive work experiences or non-competitive work experiences such as internships, work study or other options.
- That the academic program realistically supports the consumer's long term employment goal.

At the end of one year, the DVR counselor and consumer should review progress in the college program and employment experiences. Prior to committing to completion of a two or four year program, it is recommended the DVR counselor determine if:

- The consumer's academic performance met the basic requirements of the college program.
- The consumer engaged in employment experiences.

Step Two: Final Post Secondary Education and Employment Plan

If the DVR counselor and consumer determine that the post secondary education and employment plan should be extended to complete a two or four year program, the DVR counselor can consider the following options:

- If the original IPE included a vocational goal of part time employment to support the consumer's participation in post secondary education and the consumer's employment has met all the criteria for closure in Chapter 204, then the case may be closed in Status 26. The DVR counselor may then immediately re-open a new case for the consumer with completion of a two or four year program as part of the plan.

- If the consumer did not work enough to meet all the criteria for closure in Chapter 204, then the counselor can amend the case with completion of a two or four year program as part of the plan.

It is recommended that whenever possible, the consumer will stay with the VR Transition Counselor through completion of the Step Two Plan.

G. Sponsorship at Graduate Levels

The Division may participate in sponsoring advanced degree programs (including doctoral) if the person, in the Counselor's opinion, has not been able to locate suitable entry-level employment in the field of choice with an undergraduate degree, and graduate work will significantly enhance the opportunities in the field of choice.

Justification for Division participation must appear in the case record. All other provisions in this policy will apply.

GUIDANCE: The following are suggested considerations for the Counselor before providing financial support for a graduate program:

1. The person seeking services has explored other vocational options considering other transferable skills and the person's undergraduate degree, and none realistically exist.
2. The person has been successfully employed in the chosen field using current credentials but the disability, rather than the lack of an advanced degree, impedes advancement in the field without a higher level degree.
3. The future job market indicates stability or growth in the field, and the likelihood of locating a job in the field with an advanced degree is good. A statement from a prospective employer, such as "If this person gets a Master's Degree, we'll hire her", would be very convincing.
4. The person is ineligible for job advancement due to disability-related barriers and needs re-training with an advanced degree.

Section IV: Vocational Training

A. Sponsorship

Vocational training may be sponsored by the Division on a case-by-case basis if:

1. The Counselor and person have determined that a market exists for the proposed job at completion of the training; and
2. The person will be able to perform the essential functions of the job at the completion of the training with, if necessary, rehabilitation technology or other services; and
3. Comparable services and benefits have been used to the maximum as applicable.

B. On-the-Job Training

For on-the-job training, the Division may furnish a training fee to the employer during the training period. The fee must be based on the cost to the employer for the training--for example, wages paid to the **trainer** for time spent training, wasted materials, etc. The Division shall not subsidize or replace wages paid to the trainee but may pay the employer for costs of the trainer, materials, etc.

C. Spending Guidelines

1. The spending guideline for vocational training is that it should not exceed \$3,000 (exclusive of supportive services such as transportation and maintenance). Training time may vary but should not exceed six months.
2. Exception to these training guidelines may be made after review by the Division Director or designee if the criteria in Section III(A) above are fulfilled, and:
 - a. The disability requires a relatively extended amount of accommodation on the part of the employer/trainer; or

- b. The vocation is of a highly technical or otherwise difficult nature or requires training of longer than six months; or
- c. The training period is less than six months, but the trainer's wage is relatively high.

GUIDANCE: This Section exists to provide a basic policy for providing training other than of the post-secondary variety. Often a person may become quickly and inexpensively job-ready by undertaking vocational training.

Please note that apprenticeships and programs offered through the Department of Employment & Training may provide comparable services and benefits in such trainings. Also, Regional Vocational Technical Centers may be useful.

If an OJT, there must be a thorough understanding with the employer. An outline of the training expected, the basis for payment (**trainer's time**, not trainee's time), the amount to be paid, and the billing procedures should be clearly stated in writing at the outset. A sample agreement is available on the next page.

SAMPLE**On-the-Job Training Agreement**

This agreement is made between the State of Vermont, Division of Vocational Rehabilitation (DVR) and _____
(the employer)

to provide training and employment to _____
(the employee).

DVR agrees to pay the employer \$_____ for _____ hours of training
between the dates of _____ and _____.

The employee will be trained as a _____. The employer will provide the training to the employee in the tasks specified on the reverse side of this document. The employee will be employed as any other employee. The employer will withhold applicable taxes and will provide Workers' Compensation coverage.

The employer will report progress to the DVR at the end of every two weeks. If the employee performs satisfactorily, he/she will be retained as a regular employee. If the employee performs unsatisfactorily, he/she will be provided reasonable opportunity for improvement prior to a decision to terminate.

The employer will submit bills to: _____
Division of Vocational Rehabilitation

Address: _____

My signature below indicates that I have read and agree to the form and content of the above.

	DVR	Employer	Employee
Print Name:	_____	_____	_____
Signature:	_____	_____	_____
Title:	_____	_____	_____
Date:	_____	_____	_____

Section V. Distance Learning

“Distance learning” means training “on-line”—that is, via computer technology. On-line offerings may include single courses, certificates, and degree programs.

Distance learning may be a viable method of training especially for people who live in rural areas away from educational institutions, who may have problems with mobility, or for whom leaving the home for training is a hardship for them or others (e.g., a single parent who cannot be away from his/her family for long). It may also be very appropriate for students with busy schedules, as classwork may be completed at any time, day or night, so the person may choose when to “go to class.” Distance learning may enable access to the best trainers and information in the world within the comfort of one’s home.

Distance learning presents new issues, questions, and challenges for vocational rehabilitation professionals—Should computers be bought for anyone desiring to take a distance learning course? Should computers be upgraded for anyone desiring to take a distance learning course? Should monthly Internet fees be paid? If so, for how long?

Computers, upgrades, and fees may be provided within the following parameters:

1. Distance learning has been determined to be the best choice for appropriate training for the person given the distance from the closest institution offering comparable training, issues related to the disability, social/familial issues, cost, and comparable reasons.
2. Using computers available in the community (e.g., DVR resource rooms, DET one-stops, libraries, schools, etc.) and computers available for loan (including DVR’s) will be considered before participating in purchase, upgrade, or fees. If the person already has a computer, upgrading it to meet the needs of the course will be considered before buying a different computer. A used computer will be considered before buying a new one. New computers will be considered on a cost/share basis with the person prior to the Division purchasing a computer, in whole, for an individual. Participating in the purchase of software or computers will be limited to the needs of the distance learning course or program.
3. DVR may pay for Internet charges for the duration of the training.